



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR RESOURCES**

**OPERATING PERMIT**

**RHODE ISLAND TEXTILE COMPANY**

**PERMIT NO. RI-06-05**

(Renewal date: October 11, 2005)

(Expiration date: October 11, 2010)

**Pursuant to the provisions of Air Pollution Control Regulation No. 29, this operating permit is issued to:**

**Rhode Island Textile Company  
211 Columbus Ave.  
Pawtucket RI 02861**

**This permit shall be effective from the date of its issuance. All terms and conditions of the permit are enforceable by EPA and citizens under the federal Clean Air Act, 42 U.S.C. 7401, et seq., unless specifically designated as not federally enforceable.**

---

**Stephen Majkut, Chief  
Office of Air Resources**

---

**Date of issuance: 10/11/05**

## TABLE OF CONTENTS

### I. SOURCE SPECIFIC CONDITIONS

Requirements for Emissions Units B001, B002 and B003.....	1
Requirements for Emissions Unit P001 .....	3
Requirements for Emissions Units P002.....	3
Facility Requirements.....	5

### II. GENERAL CONDITIONS..... 6

Annual Emissions Fee Payment.....	6
Permit Renewal and Expiration .....	6
Transfer of Ownership or Operation.....	6
Property Rights .....	6
Submissions .....	7
Inspection and Entry .....	7
Compliance .....	8
Excess Emissions Due to an Emergency .....	8
Duty to Provide Information .....	9
Duty to Supplement .....	9
Reopening for Cause.....	10
Severability Clause .....	10
Off-Permit Changes.....	11
Section 502(b)(10) Changes.....	12
Emissions Trading .....	13
Emission of Air Contaminants Detrimental to Person or Property.....	13
Odors.....	13
Visible Emissions.....	13
Open Fires .....	13
Construction Permits.....	14
Sulfur in Fuel.....	14
Air Pollution Episodes .....	16
Fugitive Dust .....	16
Compliance Certifications.....	16
Permit Shield .....	17
Recordkeeping.....	17
Reporting .....	18
Credible Evidence .....	19
Miscellaneous Conditions.....	19

### III. SPECIAL CONDITIONS ..... 21

Prevention of Accidental Release.....	21
---------------------------------------	----

## SECTION I. SOURCE SPECIFIC CONDITIONS

### A. Requirements for Emissions Units B001, B002 and B003

The following requirements are applicable to:

- Emission Unit B001, 3.36 MMBTU/hr Hurst boiler, model number 5469, which burns #2 fuel oil and natural gas.
- Emission Unit B002, 3.36 MMBTU/hr Hurst boiler, model number 5469, which burns #2 fuel oil.
- Emission Unit B003, 3.36 MMBTU/hr Hurst boiler, model number 5469, which burns #2 fuel oil.

#### 1. Emission Limitations

##### a. Particulates

The permittee shall not cause or permit the emissions of particulate matter in excess of 0.1 pounds per million BTU actual heat input. [13.2.1]

##### b. Opacity

The permittee shall not emit into the atmosphere, from any emission unit, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2]  
Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

##### c. Sulfur oxides

Unless the Director declares in writing after a hearing that a shortage of low sulfur fuel exists, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0%, except for use with motor vehicles. [8.2,8.3.6]

2. Testing Requirements

a. Particulates

Compliance with the particulate emissions limitations contained in Condition I.A.1.a of this permit, Method 5 of 40 CFR 60, Appendix A, or another method approved by the Office of Air Resources and USEPA, shall be used. [13.3.1]

The requirements of particulate emissions testing may be waived if the Director and the USEPA :

- (1) Specifies or approves, in a specific case, the use of a reference method with minor changes in methodology; or
- (2) Approves the use of an equivalent or alternative method the results of which he has determined to be adequate for indicating whether the permittee is in compliance; or
- (3) Finds that the permittee has demonstrated by other means to the Director's and the USEPA's satisfaction that the source is in compliance with the relevant emissions standards. [13.3.3]

In the absence of data from particulate emissions testing, the Director and the USEPA may determine that a unit is or is not in compliance with the emissions limitations of Condition I.A.1.a of this permit based on available information including, but not limited to, type of fuel burned, design of unit, efficiency of air pollution control systems, operating and maintenance procedures, and emission test results on similar units. [13.3.2]

b. Opacity

Tests for determining compliance with the opacity limitations specified in Condition I.A.1.b of this permit shall be performed as per the 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1,1.3.2]

c. Sulfur oxides

Compliance with the sulfur limitations contained in Condition I.A.1.c of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit. [29.6.3(b)]

**B. Requirements for Emission Unit P001**

- Emissions Unit P001 consists of approximately 27 tipping machines. These machines are used to form shoe lace tips. A tipping solution which contains methanol is used to fuse the plastic wrap to form the shoe lace tip.

1. Other Requirements

- a. P001 is subject to the requirements of 40 CFR 63.1-15, Subpart A, “General Provisions” [as indicated in Table 3 to Subpart OOOO of 40 CFR 63] and 40 CFR 63, Subpart OOOO, National Emission Standards for Hazardous Air Pollutants for Printing, Coating, and Dyeing of Fabrics and Other Textiles. Compliance with all applicable provisions therein is required, unless otherwise stated in this permit. The permittee must comply with the standards in Subpart OOOO by 29 May 2006. [40 CFR 63.4283, 40 CFR 63.4301]

**C. Requirements for Emission Unit P002**

The following requirements are applicable to:

- Emission Unit P002, Safety Kleen Model Number 81 Cold Cleaning Degreaser.

1. Operating Requirements

- a. Equipment covers and dipping or rotating baskets must be constructed of nonporous or nonabsorbent material. Covers must form a tight seal with the sides of P002 and have no gaps or holes. [36.4.1]
- b. When the cover for P002 is open, drafts at the same elevation as the tank lip must not be greater than 40 m/min. (130 ft/min.) when measured 1 to 2 meters (3 to 7feet) upwind. [36.4.2]
- c. Leaks must be repaired immediately or P002 shut down. [36.4.3]
- d. Equipment used in P002 must display a conspicuous summary of proper operating procedures consistent with minimizing emissions of organic solvents. [36.4.4]

- e. Any solvent spray must be a solid, fluid stream which is delivered at a pressure no greater than 10 pounds per square inch (psi) and which does not cause excessive splashing. [36.4.5]
- f. Spills shall be wiped up immediately. The wipe rags shall be stored in covered containers meeting the specifications in Condition I.C.1.1. of this section. [36.4.6]
- g. No porous or absorbent materials, such as sponges, fabrics, wood, or paper products, shall be cleaned in an organic cleaning machine. [36.4.7]
- h. Parts baskets or parts shall be drained under the cover and shall not be removed from the cleaning machine for at least 15 seconds or until dripping ceases and the pieces are visually dry, whichever is longer. [36.4.8]
- i. Parts having cavities or blind holes shall be tipped or rotated while draining before being removed from the vapor zone. [36.4.9]
- j. Parts shall be oriented for best drainage. [36.4.10]
- k. When solvent is added to or drained from a solvent cleaning machine, the solvent shall be transferred using threaded or other leakproof couplings and the end of the pipe in the solvent sump shall be located beneath the liquid solvent surface. [36.4.11]
- l. Solvent, waste solvent, still bottoms, and sump bottoms must be stored in covered containers and waste solvent transferal or disposal must allow less than 20 percent of the waste solvent (by weight) to evaporate into the atmosphere. [36.4.12]
- m. Emission Unit P002 and related air pollution control equipment shall be maintained as recommended by the manufacturer of the equipment. [36.4.13]
- n. Operators must receive proper solvent cleaning procedures and, if requested by representatives of the Office or the EPA during an inspection, must complete and pass the applicable sections of the test on those procedures in Appendix A of APC Regulation No. 36. [36.4.14]
- o. P002 shall be equipped with an attached cover that can be operated easily with one hand. Covers must be closed at all times except during parts entry and removal. If the cold cleaning machine is equipped with a lip exhaust, the cover shall be located below the lip exhaust. [36.5.1]

- p. A freeboard ratio of greater than or equal to .75 shall be used to control solvent emissions from Emission Unit P002. [36.5.3]
- q. If a flexible hose or flushing device is used, flushing shall be performed only within the freeboard zone of P002. [36.5.4]
- r. When an air-or-pump-agitated solvent pump bath is used, the agitator shall be operated so that a rolling motion of the solvent is produced and splashing against the tank or parts being cleaned does not occur. [36.5.5]
- s. The height of solvent in P002 shall not exceed the manufacturer's fill-line for that machine. [36.5.6]

2. Recordkeeping Requirements

- a. The permittee shall maintain the following records:
  - (1) Training provided to the operators of P002 for the lifetime of the unit, [36.10.4, 29.6.3(b)]
  - (2) The quantity and type of solvent used in P002 each year and [36.10.4(a), 29.6.3(b)]
  - (3) The date and type of each equipment malfunction (or leak) and the date it is repaired. [36.10.4(b), 29.6.3(b)]

**D. Facility Requirements**

- a. The permittee shall file a completed Air Toxics Operating Permit Application with the Office of Air Resources within 60 days of written notice from the Director. [22.5.2]  
**[Not Federally Enforceable]**

## SECTION II. GENERAL CONDITIONS

### A. Annual Emissions Fee Payment

The permittee shall pay an annual emissions fee as established in Air Pollution Control Regulation No. 28 "Operating Permit Fees". [29.6.8(d)]

### B. Permit Renewal and Expiration

This permit is issued for a fixed term of 5 years. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least 12 months prior to the date of permit expiration. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the Office of Air Resources on the renewal application. In such an event, the permit shield in Condition II.Y of this permit shall extend beyond the original permit term until renewal. This protection shall cease to apply if subsequent to a completeness determination, the applicant fails to submit by the deadline specified in writing by the Office of Air Resources any additional information identified as being needed to process the application. The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. [29.6.8(a),29.4.2(c), 29.4.6]

### C. Transfer of Ownership or Operation

This permit is nontransferable by the permittee. Future owners and operators must obtain a new operating permit from the Office of Air Resources. A change in ownership or operational control of this source is treated as an administrative permit amendment if no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Office of Air Resources. [29.10.1(a)(4)]

### D. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [29.6.8(c)(4)]



**E. Submissions**

1. Reports, test data, monitoring data, notifications, and requests for renewal shall be submitted to :

RIDEM - Office Air Resources  
Compliance Assurance Section  
235 Promenade St. Room 230  
Providence, RI 02908

2. Any records, compliance certifications and monitoring data required by the provisions of this permit to be submitted to USEPA shall be sent to:

USEPA Region I  
Office of Environmental Stewardship  
Director, Air Compliance Program  
Attn: Air Compliance Clerk  
1 Congress Street Suite 1100 (SEA)  
Boston, MA 02114-2023

3. Any document submitted shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

**F. Inspection and Entry**

1. Employees of the Office of Air Resources and its authorized representatives shall be allowed to enter this facility at all reasonable times for the purpose of: [29.6.8(f)(1)]
  - a. having access to and copying at reasonable times any records that must be kept under the conditions of this permit; [29.6.8(f)(2)]
  - b. inspecting at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and [29.6.8(f)(3)]
  - c. sampling or monitoring, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements.[RIGL 23-23-5(7), 29.6.8(f)(4)]

Nothing in this condition shall limit the ability of USEPA to inspect or enter the premises of the permittee under Section 114 or other provisions of the Clean Air Act.

**G. Compliance**

1. The permittee must comply with all conditions of this permit. Any noncompliance with a federally-enforceable permit condition constitutes a violation of the Clean Air Act and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Any noncompliance with a permit condition designated as state only enforceable constitutes a violation of state rules only and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. [29.6.8(c)(1)]
2. For each unit at the facility for which an applicable requirement becomes effective during the permit term, the permittee shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. [29.6.5(a)]
3. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [29.6.8(c)(2)]

**H. Excess Emissions Due to an Emergency**

As the term is used in this condition an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes this source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [29.6.11(b)]

Technology-based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain a health based air quality standard.

The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall

demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that: [29.6.11(a) & 29.6.11(c)]

1. an emergency occurred and that the permittee can identify the cause(s) of the emergency; [29.6.11(c)(1)]
2. the permitted facility was at the time being properly operated; [29.6.11(c)(2)]
3. during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and [29.6.11(c)(3)]
4. the permittee submitted notice of the emergency to the Office of Air Resources within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements of Condition II.AA.3 of this permit. [29.6.11(c)(4)]

The permittee shall have the burden of proof in seeking to establish the occurrence of an emergency. [29.6.11(d)]

**I. Duty to Provide Information**

The permittee shall furnish to the Office of Air Resources, within a reasonable time, any pertinent information that the Office of Air Resources may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Office of Air Resources copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality. [29.6.8(c)(5)]

**J. Duty to Supplement**

The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the Office of Air Resources. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit. [29.5.4]

**K. Reopening for Cause**

The Office of Air Resources will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:

1. Additional requirements under the Clean Air Act become applicable to a major source 3 or more years prior to the expiration date of this permit. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit, unless this permit or any of its terms and conditions have been extended. [29.6.13(a)]
2. The Office of Air Resources or the Administrator determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit. [29.6.13(c)]
3. The Office of Air Resources or the Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements. [29.6.13(d)]

Reopenings shall not be initiated before a notice of intent to reopen is provided to the permittee by the Office of Air Resources at least 30 days in advance of the date that this permit is to be reopened, except that the Office of Air Resources may provide a shorter time period (but not less than five days) in the case of an emergency. [29.9.5(b)]

Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable. [29.9.5(a)]

All permit conditions remain in effect until such time as the Office of Air Resources takes final action. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [§70.6(a)(6)(iii)]

**L. Severability Clause**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. [29.6.8(b)]

**M. Off-Permit Changes**

1. The permittee is allowed to make certain changes that are not addressed or prohibited by this permit without a permit revision, provided that the following conditions are met: [29.11.2(a)]
  - a. Each such change shall not violate any term or condition of this permit. [29.11.2(b)]
  - b. Each change shall comply with all applicable requirements. [29.11.2(b)]
  - c. Changes under this provision may not include changes or activities subject to any requirement under Title IV or modifications under any provision of Title I of the Clean Air Act. [29.11.2(a)]
  - d. Before the permit change is made, the permittee must provide contemporaneous written notice to the Office of Air Resources and the USEPA Region I, except for changes that qualify as insignificant activities in Appendix A of APC Regulation No. 29. This notice shall describe each change, including the date, and change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change. [29.11.2(c)]
  - e. The permit shield does not apply to changes made under this provision. [29.11.2(d)]
  - f. The permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes, including any other data necessary to show compliance with applicable ambient air quality standards. The record shall reside at the permittee's facility. [29.11.2(e)]
2. Changes made pursuant to this provision shall not be exempt from the requirement to obtain a minor source permit pursuant to the requirements of Air Pollution Control Regulation No. 9, if applicable. [29.11.2(a)]
3. Changes made pursuant to this provision shall be incorporated into this permit at the time of renewal. [29.11.2(f)]

**N. Section 502(b)(10) Changes**

1. The permittee is allowed to make changes within this permitted facility that contravene the specific terms of this permit without applying for a permit revision, provided the changes do not exceed the emissions allowable under this permit, whether expressed therein as a rate of emissions or in terms of total emissions and are not Title I modifications. This class of changes does not include:
  - a. changes that would violate applicable requirements; or
  - b. changes to federally-enforceable permit terms or conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements. [29.11.1(a), 29.1.36]
2. The permittee shall provide written notice to the Office of Air Resources and the USEPA Region I any change made under this provision. The notice must be received by the Office of Air Resources no later than fourteen (14) days in advance of the proposed changes. The notice shall include information describing the nature of the change, the effect of the change on the emission of any air contaminant, the scheduled completion date of the planned change and identify any permit terms or conditions that are no longer applicable as a result of the change. The permittee shall attach each notice to its copy of this permit. [29.11.1(a)(1), 29.11.1(a)(2)]
3. The permittee shall be allowed to make such change proposed in its notice the day following the last day of the advance notice described in paragraph 2 if the Office of Air Resources has not responded nor objected to the proposed change on or before that day. [29.11.1(b)]
4. Any permit shield provided in this permit does not apply to changes made under this provision. If subsequent changes cause the permittee's operations and emissions to revert to those anticipated in this permit, the permittee resumes compliance with the terms and conditions of the permit, and has provided the Office of Air Resources and USEPA with a minimum of fourteen (14) days advance notice of such changes in accordance with the provisions of paragraph 2, the permit shield shall be reinstated in accordance with terms and conditions stated in this permit. [29.11.1(c)]
5. Changes made pursuant to this provision shall be incorporated into the operating permit at the time of renewal. [29.11.1(d)]

**O. Emissions Trading**

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. [29.6.6(a)]

**P. Emission of Air Contaminants Detrimental to Person or Property**

The permittee shall not emit any air contaminant which either alone or in connection with other emissions, by reason of their concentration or duration, may be injurious to human, plant or animal life, or cause damage to property or which unreasonably interferes with the enjoyment of life or property. [7.1]

**Q. Odors**

1. The permittee shall not emit or cause to be emitted into the atmosphere any air contaminant or combination of air contaminants which creates an objectionable odor beyond the property line of this facility. [17.1]
2. A staff member of the Office of Air Resources shall determine by personal observation if an odor is objectionable, taking into account its nature, concentration, location, duration and source. [17.2]

**R. Visible Emissions**

1. Except as may be specified in other provisions of this permit, the permittee shall not emit into the atmosphere, from any emission unit, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]
2. Tests for determining compliance with the opacity limitations specified in this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

**S. Open Fires**

It shall be unlawful for the permittee to burn any material in an open fire, except as provided in APC Regulation No. 4, Section 4.3. [4.2]

**T. Construction Permits**

It shall be unlawful for the permittee to construct, install, modify or cause the construction, installation or modification of any stationary source subject to the provisions of APC Regulation No. 9 without obtaining either a minor source permit or a major source permit from the Director. [9.2.1]

**U. Sulfur in Fuel**

1. Except as may be specified in other provisions of this permit, unless the Director declares in writing after a hearing that a shortage of low sulfur fuel exists, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0% by weight, except for use with marine vessels or motor vehicles. [8.2, 8.3.6]
2. Compliance with the sulfur in fuel limitations contained in this section shall be determined by the procedures listed below or by another method deemed equivalent by the Director: [29.6.3(b)]
  - a. For each shipment of fuel oil, the permittee shall obtain a certification from the fuel supplier which contains:
    - (1) For distillate fuel oil:
      - (a) the name of the supplier
      - (b) a statement that the oil complies with the specification for fuel oil number 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78 "Standard Specification for Fuel Oils." [29.6.3(b)]
    - (2) For residual oil:
      - (a) The name of the supplier,
      - (b) The nitrogen and sulfur content of the oil and the ASTM method used to determine the nitrogen and sulfur content of the oil,
      - (c) The location of the oil when the sample was drawn for analysis to determine the nitrogen and sulfur content of the oil, specifically including whether the oil was sampled as delivered to the permittee or whether the sample was drawn



from oil in storage at the oil suppliers/refiners facility or another location. [29.6.3(b)]

- (3) For diesel fuel oil:
  - (a) the name of the supplier,
  - (b) a statement that the oil complies with the specification for diesel fuel oil grade 1-D or 2-D, as defined by the American Society for Testing and Materials in ASTM D975-03 “Standard Specification for Fuel Oils.” [29.6.3(b)]
- b. As an alternative to fuel oil certification, the permittee may elect to sample the fuel oil prior to combustion. Sampling and analysis shall be conducted after each new shipment of fuel oil is received. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any fuel oil is combusted. [29.6.3(b), 8.4.1(b)]
- c. All fuel oil must be sampled and analyzed according to ASTM methods which have the prior approval of or are required by the Office of Air Resources. [29.6.3(b), 8.4.1(b)]
- d. Copies of the fuel oil analysis sheets shall be maintained at the facility and be made accessible for review by the Office of Air Resources or designated personnel of the Office of Air Resources and USEPA. These records shall include a certified statement, signed by a responsible official, that the records represent all of the fuel combusted during each quarter. [29.6.3(b)]
- e. The Director may require, under his supervision, the collection of fossil fuel samples for the purpose of determining compliance with the sulfur limitations in this permit. Sampling and analysis of fossil fuels under Condition II.U.2 of this permit shall not limit the collection of samples under this condition. [8.4.3]

**V. Air Pollution Episodes**

Conditions justifying the proclamation of an air pollution alert, air pollution warning or air pollution emergency shall be deemed to exist whenever the Director determines that the accumulation of air pollutants in any place is attaining or has attained levels which could, if such levels are sustained or exceeded, lead to a substantial threat to the health of persons. If the governor declares an air pollution alert, air pollution warning or air pollution emergency,

the permittee shall comply with the applicable requirements contained in APC Regulation No. 10. [10.1]

**W. Fugitive Dust**

The permittee shall not cause or permit any materials, including but not limited to sand, gravel, soil, aggregate and any other organic or inorganic solid matter capable of releasing dust, to be handled, transported, mined, quarried, stored or otherwise utilized in any way so as to cause airborne particulate matter to travel beyond the property line of the facility without taking adequate precautions to prevent particulate matter from becoming airborne. Such precaution shall be in accordance with good industrial practice as determined by the Director and/or shall be other reasonable fugitive dust prevention measures as determined by the Director. [5.2]

**X. Compliance Certifications**

1. The permittee shall submit a certification of compliance with permit terms and conditions annually. [29.6.5(c)(1)]
2. The certification shall describe the following:
  - a. the permit term or condition that is the basis of the certification; [29.6.5(c)(3)a]
  - b. the current compliance status; [29.6.5(c)(3)b]
  - c. whether compliance was continuous or intermittent; and [29.6.5(c)(3)c]
  - d. the methods used for determining compliance, currently and over the reporting period. [29.6.5(c)(3)d]
3. All compliance certifications shall be submitted to the Office of Air Resources and to the USEPA Region I. They shall be submitted within 60 days following the end of the reporting period which is the calendar year unless otherwise specified. [29.6.5(c)(4)]
4. All compliance certifications shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

**Y. Permit Shield**

1. Compliance with the terms and conditions of this permit shall be deemed compliance with all requirements applicable to the source in the following regulations: RI APC Regulation Nos. 1, 4, 5, 7, 8, 9, 10, 13, 14, 17, 22, 28, 29, 36 and 40 CFR 63.4283 and 40 CFR 63.4301 of Subpart OOOO [29.6.12(a)(1)]
2. The Office of Air Resources has determined that units B001, B002, B003, P001 and P002 are not subject to RI APC Regulation Nos. 2, 3, 6, 11, 12, 15, 16, 18, 19, 20, 21, 25, 26, 27, 30, 31, 32, 33, 34, 35, 37, and 38. [29.6.12(a)(2)]
3. Nothing in this permit shall alter or affect the following:
  - a. the provisions of Section 303 of the Clean Air Act, including the authority of the USEPA under that Section. [29.6.12(c)(1)]
  - b. the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [29.6.12(c)(2)]
  - c. the applicable requirements of the acid rain program consistent with Section 408 of the Clean Air Act. [29.6.12(c)(3)]
  - d. the ability of the USEPA to obtain information under Section 114 of the Act. [29.6.12(c)(4)]
4. If it is determined that this operating permit was issued based on inaccurate or incomplete information provided by the permittee, this permit shield shall be void as to the portions of this permit which are affected, directly or indirectly, by the inaccurate or incomplete information. [29.6.12(d)]

**Z. Recordkeeping**

1. The permittee shall, at the request of the Director, provide data on operational processes, fuel usage, raw materials, stack dimensions, exhaust gas flow rates and temperatures, emissions of air contaminants, steam or hot water generator capacities, types of equipment producing air contaminants and air pollution control systems or other data that may be necessary to determine if the facility is in compliance with air pollution control regulations. [14.2.1]
2. All records and supporting information required by this permit shall be maintained at the permittee's 211 Columbus Avenue facility for a period of at least 5 years from the date of sample monitoring, measurement, report or application, and shall be made

available to representatives of the Office of Air Resources and the USEPA upon request. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [14.2.1, 29.6.4(a)(2)]

3. The permittee shall keep records of required monitoring information that include the following:
  - a. The date, place and time of sampling or measurements; [29.6.4(a)(1)a]
  - b. The date(s) analyses were performed; [29.6.4(a)(1)b]
  - c. The company or entity that performed the analyses; [29.6.4(a)(1)c]
  - d. The analytical techniques or methods used; [29.6.4(a)(1)d]
  - e. The results of such analyses; and [29.6.4(a)(1)e]
  - f. The operating conditions as existing at the time of sampling or measurement. [29.6.4(a)(1)f]

**AA. Reporting**

1. The information recorded by the permittee pursuant to Condition II.Z.1 of this Section shall be summarized and reported at least annually to the Director. It shall be submitted by April 15<sup>th</sup> unless otherwise specified. Information submitted pursuant to this condition will be correlated with applicable emissions and other limitations and other applicable emissions information and will be available for public inspection. [14.2.2, 14.2.3]
2. The permittee shall submit reports of any required monitoring for each semiannual period ending 30 June and 31 December for each calendar year. These reports shall be due to the Office of Air Resources no later than forty-five (45) days after the end of the reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with condition 3(d). [29.6.4(b)(1)]
3. Deviations from permit conditions, including those attributable to upset conditions as defined in this permit, shall be reported, in writing, within five (5) business days of the deviation, to the Office of Air Resources. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken.

Each report must be certified by a responsible official consistent with Condition II.X.4. of this permit. [29.6.4(b)(2)]

4. The Office of Air Resources shall be notified in writing of any planned physical change or operational change to the emissions units and control devices identified in this permit. Such notification shall include information describing the nature of the change, information describing the effect of the change on the emissions of air contaminants and the scheduled completion date of the planned change. Any change which may result in an increased emission rate of any air contaminant shall be subject to approval of the Office of Air Resources.

**BB. Credible Evidence**

For the purpose of submitting compliance certifications or establishing whether or not the permittee has violated or is in violation of any provision of this permit, the methods used in this permit shall be used as applicable. However, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether the permittee would have been in compliance with applicable provisions of this permit if the appropriate performance or compliance test procedures or methods had been performed. [40 CFR 51.212(c), 52.12(c), 52.33(a)]

**CC. Miscellaneous Conditions**

1. This permit may be modified, revoked, reopened, reissued or terminated for cause. The filing of a request, by the permittee, for a permit modification, revocation and reissuance or termination or of a notification of planned changes or anticipated noncompliance does not release the permittee from the conditions of this permit. [29.6.8(c)(3)]
2. Any application for a permit revision need only submit information related to the proposed change. [29.4.3(c)]
3. Terms not otherwise defined in this permit shall have the meaning given to such terms in 40 CFR 63.2 of the Clean Air Act as amended in 1990 or the referenced regulation as applicable.
4. Where more than one condition in this permit applies to an emission unit and/or the entire facility, the most stringent condition shall apply.

### SECTION III. SPECIAL CONDITIONS

#### A. Prevention of Accidental Releases

This Section contains Air Pollution Control Requirements that are applicable to this facility and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.